

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rule making related to the adopt-a-highway program

The Department of Transportation hereby amends Chapter 121, “Adopt-A-Highway Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 307.12.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 307.24.

Purpose and Summary

The amendments to Chapter 121 include references to the Department’s website and the Maintenance Bureau for information on the Adopt-A-Highway Program. Other amendments reflect the Department’s current electronic application process for prospective sponsors to participate in the Adopt-A-Highway Program and specify that the sponsors are only responsible for litter pickup for a designated segment of highway because work in the right-of-way, such as installation and maintenance of native plants or other landscape activities, is approved through a different process.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on November 4, 2020, as **ARC 5245C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on January 13, 2021.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on March 17, 2021.

The following rule-making actions are adopted:

ITEM 1. Amend rule 761—121.2(307) as follows:

761—121.2(307) Information and location. ~~Information and application forms relating to the adopt-a-highway program may be obtained by contacting the local maintenance office for the name of the person administering the program in the local area, or: Office of~~ online at www.iowadot.gov. Assistance is available by mail from the Maintenance Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010 or by telephone at (515)239-1971. Applications shall be submitted to the person administering the program in the local area.

ITEM 2. Amend rule 761—121.3(307) as follows:

761—121.3(307) Program guidelines.

121.3(1) The adopt-a-highway program allows individuals or groups to assume responsibility for performing litter pickup for a specific segment of highway.

121.3(2) All primary roads, including interstate highways, under the jurisdiction of the department shall be eligible for participation in the adopt-a-highway program.

ITEM 3. Rescind and reserve rule **761—121.5(307)**.

ITEM 4. Amend subrule 121.6(1) as follows:

121.6(1) Application. ~~Form 810105, “Application to Adopt A Highway,” includes the agreements to be signed by the sponsor and the department and lists the responsibilities of both the sponsor and the department.~~ The adopt-a-highway webpage located on the department’s website at www.iowadot.gov contains a link to an online adopt-a-highway permit application form. After a prospective sponsor applies online, the department will review the application and contact the prospective sponsor by telephone or email.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/10/21.